

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-3859

Ricky Lee McDeid,

Appellant,

v.

Jo Anne B. Barnhart, Commissioner
of Social Security,

Appellee.

*
*
*
*
*
*
*
*

Appeal from the United States
District Court for the District
of Minnesota.

[UNPUBLISHED]

Submitted: June 6, 2003

Filed: June 12, 2003

Before MORRIS SHEPPARD ARNOLD, BYE, and RILEY, Circuit Judges.

PER CURIAM.

Ricky Lee McDeid, who is civilly committed, appeals the district court's¹ order affirming the denial of his application for disability insurance benefits. Mr. McDeid alleged disability from a personality disorder since the date of his civil commitment.

¹The Honorable James M. Rosenbaum, Chief Judge, United States District Court for the District of Minnesota, adopting the report and recommendations of the Honorable Susan Richard Nelson, United States Magistrate Judge for the District of Minnesota.

At a hearing, a medical expert testified that Mr. McDeid should have no functional work restrictions other than not working around unaccompanied minors, vulnerable adults, or alcohol or drugs, and a vocational expert testified that Mr. McDeid could perform his past relevant work of tree trimming. The administrative law judge (ALJ) accepted these experts' opinions and found that Mr. McDeid's impairment was not of listing-level severity and that he retained the residual functional capacity to perform his past relevant work. We conclude that substantial evidence supports the ALJ's findings. See Pyland v. Apfel, 149 F.3d 873, 876 (8th Cir. 1998) (standard of review).

Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.